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PTO-1390 (Rev. 12-2004)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER SCH-15951
INTERNATIONAL APPLICATION NO. PCT/EP2003/010952	INTERNATIONAL FILING DATE 2 October 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/531837
TITLE OF INVENTION UROLOGICAL RESECTOSCOPE HAVING A NON-ROTATING INSTRUMENT SUPPORT		
APPLICANT(S) FOR DO/EO/US AUE, Thomas; BUSS, Werner; BROMMERSMA, Pieter; NUSSBAUM, Felix		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: International Search Report.</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JC12 Rec'd PCT/PTC 18 APR 2005

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER					
10/531837		PCT/EP2003/010952		SCH-15951					
21. The following fees are submitted:									
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee..... \$200.00 <input checked="" type="checkbox"/> c) Search fee..... \$500.00									
TOTAL OF ABOVE CALCULATIONS =				\$1000.00					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.									
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE					
7 - 100 =	0 /50 =	0		x \$250.00	\$ 0.00				
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).									
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		\$				
Total claims	3 - 20 =	0	x \$50.00	\$ 0.00					
Independent claims	1 - 3 =	0	x \$200.00	\$ 0.00					
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00 \$ 0.00					
TOTAL OF ABOVE CALCULATIONS =				\$ 1,000.00					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.									
SUBTOTAL = \$ 1,000.00									
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + \$ 0.00									
TOTAL NATIONAL FEE = \$ 1,000.00									
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$ 0.00									
TOTAL FEES ENCLOSED = \$ 1,000.00									
<table border="1"> <tr> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td>Amount to be charged:</td> <td>\$</td> </tr> </table>						Amount to be refunded:	\$	Amount to be charged:	\$
Amount to be refunded:	\$								
Amount to be charged:	\$								
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 18-0160 in the amount of \$ 1,000.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 18-0160. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.									
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.									
SEND ALL CORRESPONDENCE TO:									
David E. Spaw Rankin, Hill, Porter & Clark LLP 4080 Erie Street Willoughby, Ohio 44094 216-566-9700									
 SIGNATURE David E. Spaw NAME 34732 REGISTRATION NUMBER									

10/531837

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Int. Appl. No. : PCT/EP2003/010952
Int. Filing Date : October 2, 2003

Application No. : Not Yet Assigned Confirmation No. N/A
Applicant : Thomas Aue et al.
Filed : Herewith
TC/A.U. : N/A
Examiner : N/A

Title : UROLOGICAL RESECTOSCOPE HAVING A NON-ROTATING INSTRUMENT SUPPORT

Docket No. : SCH-15951
Customer No. : 040854

SUBSTITUTE SPECIFICATION

(Filed under §1.125(b))

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Enclosed herewith is a substitute specification for filing in the above-identified application. The undersigned hereby certifies that the substitute specification includes no new matter. A marked-up copy of the substitute specification showing the matter being added to and the matter being deleted from the specification of record is also included.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, Our Order No. SCH-15951.

Respectfully submitted,

RANKIN, HILL, PORTER & CLARK LLP

By


David E. Spaw, Reg. No. 34732

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